

Case No. 1:10-CV-2645
Gwin, J.

in aid of a trial proceeding.” [*See In re Apollo Group, Inc. Sec. Litig.*, 329 Fed. App’x. 283, 284 \(D.C. Cir. 2009\)](#). This argument, however, does not account for the case pending before the Court as to the other twenty-two defendants. Even if the Court had dismissed the entire case against Judge DeWeese, the Plaintiffs could still seek to depose him on factual matters relating to the remaining defendants’ conduct. Judges are not immune from all discovery.

The Court therefore **GRANTS IN PART** and **DENIES IN PART** Defendant Judge DeWeese’s motion to quash. While DeWeese’s appeal is before the Sixth Circuit, the Court will stay discovery relating to DeWeese’s alleged order removing Leech from her home. All other discovery, including DeWeese’s deposition on the conduct of other defendants, will proceed.

IT IS SO ORDERED.

Dated: May 6, 2011

s/ *James S. Gwin*
JAMES S. GWIN
UNITED STATES DISTRICT JUDGE